

June 13, 2003

D.T.E. 03-61

Petition of Towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, Yarmouth, and the Counties of Barnstable and Dukes, acting together as the Cape Light Compact, for extension of its municipal aggregation default service pilot project pursuant to c. 164, § 339 of the Acts of 1997.

NOTICE OF FILING AND REQUEST FOR COMMENTS

On June 2, 2003, the Cape Light Compact ("Compact") filed with the Department of Telecommunications and Energy ("Department") a petition for an extension of its municipal aggregation default service pilot project ("Pilot"). The Compact's Pilot provides electric power supply to approximately 48,000 customers (that would otherwise be subject to default service) located within the Compact's 21 member communities. The original Pilot was based on the Compact's municipal aggregation plan approved by the Department in Cape Light Compact, D.T.E. 00-47 (2000). The Pilot was approved by the Department in Cape Light Compact, D.T.E. 01-63 (2001). The Department also approved the Pilot's electric supply agreement with Mirant Americas Retail Energy Marketing, L.P. ("Mirant") on March 22, 2003. In this petition, the Compact requests that the Department approve an extension of the Pilot until December 31, 2003.

The Department will accept written comments regarding the petition through the close of business (5:00 P.M.) Friday, June 27, 2003. All comments exceeding ten pages in length must be accompanied by an executive summary of no more than two pages, double spaced. Any person who desires to file written comments must submit an original and four (4) copies of such written comments with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110. One copy must also be sent to the Compact's attorney, Jeffrey M. Bernstein, Esq., Bernstein, Cushner & Kimmell, P.C., 585 Boylston Street, Suite 200, Boston, Massachusetts 02116.

All comments must also be sent to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dte.efiling@state.ma.us; or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding (D.T.E. 03-61); (2) name of the person or company submitting the filing; and (3) a brief descriptive title of the document (e.g., Comments). The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a “.wpd” suffix), in Microsoft Word (naming the document with a “.doc” suffix), or as an Adobe PDF file (naming the document with a “.pdf” suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's web site: <http://www.mass.gov/dpu>.

ORDER OF NOTICE

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Cape Light Compact is required to publish the attached legal notice in either the Boston Globe or the Boston Herald, and the Cape Cod Times once at least seven (7) days prior to Friday, June 27, 2003.

Cape Light Compact is required to give notice of this proceeding at least seven (7) days prior to Friday, June 27, 2003 to: the Attorney General of the Commonwealth of Massachusetts; the Commonwealth of Massachusetts Division of Energy Resources; the Chairmen of the Boards of Selectmen, the Mayors, and the City Clerks in the Compact's 21 member communities; the service list in Cape Light Compact, D.T.E. 01-63 (2001); and any person who has filed a request for notice with the Cape Light Compact.

By Order of the Department,

/s/ Mary L. Cottrell

Mary L. Cottrell, Secretary